

***STAFFORD COUNTY PLANNING COMMISSION  
WORK SESSION MINUTES  
JULY 19, 2006***

The work session of the Stafford County Planning Commission of Wednesday, July 19, 2006, was called to order at 5:30 p.m. by Chairman William Cook in the Board of Supervisors Chamber of the County Administrative Center.

Members Present: Cook, Kirby, Pitzel, Mitchell, Carlone, Rhodes, and Di Peppe.

Members Absent: None

Staff Present: Harvey, Roberts, Judy, Stepowany, Olsen, Zuraf and DeBord

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. Discussion

Regarding proposed Ordinance concerning Adult Business

Mr. Stepowany stated the proposed Ordinance had three sections, with the first two sections as part of the County Code and enforced by the Commonwealth Attorney and the Sheriff's Department. He stated the third section of the Ordinance would be a part of the Zoning Ordinance. He stated Chapter 4, Amusements, confirmed permits would be obtained through the Sheriff's Office. He stated Chapter 17, Article 2 addresses obscenity and nudity. He stated part three of the Ordinance would address revisions to the Zoning Ordinance which would require a Conditional Use Permit for the following zones: B-1 Convenience Commercial, B-2 Urban Commercial, RC Residential Commercial, SC Suburban Commercial, M-1 Light Industrial, and M-2 Heavy Industrial.

Mrs. Carlone requested an additional section be placed in the Ordinance addressing the number of complaints an Adult Business receives and the repercussions of too many complaints from the citizens and abutting business owners.

Mr. Stepowany stated there was a section which addressed revocation of the permit.

Mr. Cook stated any complaint would have to be investigated.

Mr. Judy questioned the ability to identify the type of complaint or public nuisance.

Mrs. Carlone stated a sports bar on Rt. 610 had many problems.

Mr. Harvey stated an adult business would only be allowed by CUP and could be revoked if in violation of terms.

***Planning Commission Minutes***  
***Work Session***  
***July 19, 2006***

Eric Olsen, Commonwealth Attorney, stated Section 4-102 list the activities that would lead to the revocation of the permit and a conviction was not necessary to revoke a permit.

Mr. Pitzel asked how many activities need a Sheriff's Office Permit. He asked if it was legal to have the applicant state their race on the CUP for an Adult Business.

Mr. Judy stated it was not illegal to ask the applicant's race if the data was for demographic purposes.

Mr. Di Peppe stated, in his opinion, asking the applicant to state their race was offensive.

Mr. Pitzel stated Section 17.53; Item 3 addressed obscene lyrics and was concerned about the extent to which this law could be enforced. He stated his concerns about music in vehicles with obscene lyrics and if this section of the Ordinance would apply to such circumstances.

Mr. Olsen stated he had never heard of that occurring.

Mr. Pitzel asked if a mailman would be prosecuted for delivering an obscene item.

Mr. Olsen stated law enforcement does not decide what is obscene.

Mr. Pitzel asked if law enforcement could seize items deemed obscene.

Mr. Olsen stated items would not be seized unless there was a violation of state law. He stated such concerns would not be generated by the Ordinance.

Mr. Pitzel asked why county code would repeat Virginia State law.

Mr. Olsen stated counties mirror state laws.

Mr. Mitchell asked if the time period for shutting down a business in violation could be shortened from thirty days to ten days.

Mr. Olsen stated thirty days would allow the owner to seek judicial review of the violation and file the appropriate paperwork.

Mrs. Carlone asked if a stop work order could be issued and then an appeal could take place.

Mr. Di Peppe stated the definition of obscene was shameful or morbid interest in nudity.

Mr. Judy stated the definition of obscene was handed down from the courts.

Mr. Cook stated the time limit had ended for discussion. He stated the discussion would be continued at the August 2, 2006 Work Session.

## ***Planning Commission Minutes***

### ***Work Session***

***July 19, 2006***

2. RC2501259; Reclassification – Widewater Heights - A proposed reclassification from R-4, Manufactured Home Zoning District to B-2, Urban Commercial Zoning District on Assessor's Parcel 13-37 consisting of 12.18 acres, located on the south side of Telegraph Road approximately 1,000 feet east of Jefferson Davis Highway within the Griffis-Widewater Election District. The Comprehensive Plan recommends the property for Urban Commercial and Light Industrial uses. The Urban Commercial designation would allow development of commercial retail and office uses and the Light Industrial designation would allow light industrial, light manufacturing and office uses.

Mr. Cook stated the item was sent back to the Planning Commission from the Board of Supervisors due to the concern regarding storage facilities.

Mr. Di Peppe stated his concerns about the road being located close to the Resource Protection Area (RPA).

Mr. Pitzel asked if the General Development Plan (GDP) was proffered.

Mr. Cook stated yes, the applicant addressed all of our concerns.

Mr. Di Peppe asked if there would be a Phase I Survey.

Mrs. Kirby stated there would be a site survey. She stated the Civil War Association and a county archeologist would look at the entire site.

Mr. Di Peppe stated the proffers did not reference the GDP.

Mr. Cook stated it was the General Layout of Building.

Mr. Mitchell made a motion to send Item 2 to the regular meeting with a recommendation for approval. Mrs. Carlone seconded the motion. The motion passed 7-0.

### **COMPREHENSIVE PLAN UPDATE**

Mr. Cook turned the meeting over to Mr. Pitzel to discuss the Comprehensive Plan.

Mr. Pitzel stated traffic was a hot button issue for most of the citizens surveyed.

Mrs. Kirby stated a large percentage of citizens' stated Stafford County history should be preserved.

Mr. Pitzel stated there would be a public input meeting on October 2, 2006. He stated six hundred and sixty-four surveys were sent out and one hundred and twenty have been returned. He stated there was a need to reach out to civic organizations for their opinions on what would be best for the future of Stafford County. He stated the Planning Commission members should attend the first Parent Teacher Association meetings to address the needs of the citizens. He

***Planning Commission Minutes***  
***Work Session***  
***July 19, 2006***

stated the Comprehensive Plan Steering Committee meetings were scheduled every Monday at 6:30 p.m. and the public was encouraged to attend.

Mrs. Patricia Kurpiel made a presentation addressing the build out analysis with a twenty-year projection.

**ORDINANCE COMMITTEE**

Mr. Stepowany stated the need to amend the Zoning Ordinance to allow for a medical or dental office in the Urban Commercial Zoning. He stated Code Administration supports the Ordinance Amendment.

Mr. Cook made a motion for approval. Mrs. Kirby seconded the motion. The motion passed 7-0.

Mr. Stepowany stated Item 2 addressed Temporary Storage Units or POD's on property. He stated POD's have to be twenty-five feet from right-of-way and ten feet from the side or rear of property. He stated they could only be placed on property for thirty days. He stated seasonal POD's could be placed on the property for ninety days.

Mrs. Kirby stated ninety days was too long but sixty days would be okay.

Mr. Di Peppe made a motion to defer Item 2 to the August 2, 2006 Work Session.

With no further business to discuss the meeting was adjourned at 7:00 p.m.

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William Cook  
Chairman

# ***STAFFORD COUNTY PLANNING COMMISSION MINUTES***

## ***JULY 19, 2006***

The regular meeting of the Stafford County Planning Commission of Wednesday, July 19, 2006, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chamber of the Stafford County Administration Center.

**MEMBERS PRESENT:** Cook, Kirby, Pitzel, Mitchell, Carlone, Di Peppe, and Rhodes

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Harvey, Baker, Roberts, Judy, DeBord, Zuraf, Gregor and Ennis

### **PUBLIC PRESENTATIONS:**

Mike Wick stated in his opinion Stafford County faces traffic and population problems which require solutions, one example was the Falmouth intersection. He stated Stafford County should not approve development plans until the roads are constructed to handle the flow of traffic. He stated reclassifications add more traffic to the roads. He stated road improvement projects are under funded. He stated Comprehensive Planning requires time, money, and safety should be a priority.

Cecilia Kirkman stated ordinary citizens of the county are being left out of the Comprehensive Plan process. She stated the links on the county website do not provide copies of what has been presented. She stated there was not an address, phone number or email address to allow citizens to contact the Planning Department and give their opinions. She stated only five people attended the focus group. She stated only one citizen of Stafford County attended the focus group, and was a Real Estate Agent. She stated the Comprehensive Plan was a blue print for the future and the process should be made available to Stafford County residents.

### **PUBLIC HEARINGS:**

1. **CUP2600321; Conditional Use Permit - Noble Cars** - A request to amend a conditional use permit for a time extension of six months for vehicle storage on an existing parking lot in a B-2, Urban Commercial zoning district on Assessor's Parcel 53D-1-19, consisting of 0.37 acres located at 21 Butler Road within the Falmouth Election District. **(Time Limit: October 16, 2006)**

Mrs. Baker presented the staff report. She stated the site was currently used as overflow parking for the Noble Cars sales facility. She stated staff recommends approval with the conditions specified.

Mrs. Carlone asked when the new location would be completed.

Mrs. Kirby stated the applicant had previously stated they would not need the full eighteen months granted with the previous Conditional Use Permit (CUP). She stated if the CUP expired in April then they have had twenty-one months to complete the project.

Mrs. Baker stated the application for the extension of the CUP was submitted in April.

Darrell Caldwell, representing the applicant, stated the new site was not completed in time and they apologize for the inconvenience.

***Planning Commission Minutes  
July 19, 2006***

Mrs. Kirby stated the applicant told the Planning Commission they would not need the entire eighteen months granted by the previous CUP.

Mr. Caldwell stated Mr. Gay was correct but weather delays and a change of dealership items slowed the process.

Mrs. Carlone asked if there could be a cap on further extensions.

Mr. Caldwell stated he would provide the contractors schedule.

Mr. Di Peppe asked if the CUP could be extended to August 15, 2006.

Mrs. Kirby stated there would be no exceptions.

Mr. Harvey stated if the Planning Commission disposes of this, the Board could not hear the item until September.

Mr. Cook opened the Public Hearing.

With no one coming forward the Public Hearing was closed.

Mr. Di Peppe made a motion for denial. Mrs. Kirby seconded. The motion to deny passed 4-3 (Mr. Cook, Mr. Rhodes, and Mr. Mitchell voted no).

2. Amendment to the Comprehensive Plan – A proposed amendment to the Land Use Plan text and map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel 46-62 from Agricultural to Institutional Use and be included in the Urban Service Area. The proposed amendment would be for the purpose of constructing a public high school. Agricultural use permits single family residential development at a density of one (1) dwelling unit per three (3) acres. Institutional use would permit development which serves a public or social function, including schools.

Mr. Zuraf presented the staff report. He stated the property was along Clift Farm Road. He stated the property would be used to construct a high school and a passive park but use could change. He stated the Urban Services Area would be extended to the subject parcel. He stated the site would be accessed from Clift Farm Road. He stated intersection improvements would be needed at Leeland Road, Morton Road, and Layhill Road. He stated Clift Farm Road would be relocated around the site. He stated the parcel was currently not served by public water and sewer. He stated the site would connect to the existing line along Leeland Road and a new pump station would be placed on the property. He stated the site was likely a Civil War encampment and Native American camp, and a Phase I Study was in progress. He stated the site was one mile east of Dogwood Air Park and noise impacts could be disruptive to academic and special activities. He stated light emissions from athletic fields could impact pilots. He stated staff recommends approval.

Mr. Di Peppe asked what Future RMN stood for.

Mr. Zuraf stated it was the code for the Stafford Regional Airport.

***Planning Commission Minutes  
July 19, 2006***

Mr. Di Peppe stated concerns about the serious impacts of the steep slopes on the property.

Mr. Mitchell stated Clift Farm Road was a two lane road. He asked if there was a Six Year Plan.

Mr. Zuraf stated Clift Farm Road was not on the Six Year Plan.

Mr. Rhodes stated Clift Farm Road was less than twenty-two feet wide.

Mrs. Kirby stated the highly erodible soils on the proposed site were a problem. She stated the site was on forty-two acres but high schools were supposed to be on fifty-four acres.

Mr. Zuraf stated the building would not encroach on sensitive areas.

Mrs. Kirby asked if proposed site would affect expansion of the airport. She asked if an archeological study was being conducted.

Mr. Zuraf stated the applicant was in the process of doing an archeological study.

Mrs. Kirby stated without the archeological study the plan was incomplete.

Mr. Di Peppe stated he was concerned about the amount of grading the site would need.

Mr. Pitzel stated if improvements were not made to Clift Farm Road then a Private Access Easement would not be granted.

Mrs. Carlone asked how much of the land was buildable.

Mr. Harvey stated the staff report suggests the site plan, not how the property would be developed.

Andre Nougaret, Assistant Superintendent of Construction for Stafford County Schools, stated they did a Phase I Study. He stated the FAA inquiries showed no significant road blocks in the development.

Mrs. Carlone stated traffic to and from the airport would increase in time.

John Hash stated the forty-two acres was a buildable, prime open area.

Mr. Pitzel stated his concerns about Clift Farm Road.

Mr. Hash stated Clift Farm Road would be built to state standards.

Mr. Pitzel stated there was no plan to widen the road.

Mr. Hash stated the road would have to meet the standards set by the Virginia Department of Transportation.

***Planning Commission Minutes  
July 19, 2006***

Mrs. Kirby stated she was concerned about the erodible soils on slopes affecting the foundation.

Mr. Rhodes asked about the sides of the roads, would they have curbs.

Mr. Hash stated an open ditch section would be a better way to go. He stated adding a curb would raise the cost.

Mr. Mitchell asked if the Environmental Impact Study showed any small New World Begonias.

George Rhodes, Environmental Group, stated no such species was located on the property.

Mr. Mitchell asked if the property in question was a Bald Eagles nesting ground.

Mr. Rhodes stated there was no reports of Eagles nesting on the site.

Mr. Mitchell stated departing flights would head straight into the lights from a possible high school football stadium. He stated most air accidents occur during landing and departing. He stated he was concerned about the site being on a two lane road and the noise impact from the airport.

Mr. Di Peppe stated he agreed with Mr. Mitchell. He stated he was sympathetic to the schools but would like to see a school placed on flat land on Route 3.

Mr. Nougaret stated a school on Route 3 would have to cross the railroad tracks. He stated an interest in the White Oak area of the county.

Mr. Cook opened the Public Hearing.

Mike Quick stated there was less traffic on Morton Road. He stated Leeland Road runs into Morton Road and Leeland was going to stop right at Burnt Oak Lane. He stated traffic would be pouring down Morton Road.

Vernon Tearney stated he was a member of the Airport Authority and this site would be in the direct path of the airport. He stated FAA comments need to be considered.

With no one else coming forward Mr. Cook closed the Public Hearing.

Mr. Nougaret stated he would like to come back at a later date and provide additional information.

Mr. Cook stated landing and departing are the most dangerous times during a flight. He stated the site plan needs work and was concerned about the steep slopes.

Mr. Pitzel stated he was concerned about the elevation difference between the end of Dogwood and the proposed site.

Mrs. Carlone stated she understood the schools position but had great concerns for both airports in the area.

***Planning Commission Minutes  
July 19, 2006***

Mr. Di Peppe made a motion to send Item 2 to the work session on August 2, 2006. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Mitchell stated more information was needed from the FAA. He asked if a representative could meet with the Planning Commission.

Mr. Harvey stated based on the decision of the Planning Commission, the August 1, 2006 Board of Supervisors Public Hearing for the Amendment to the Comprehensive Plan would be cancelled

3. RC2600329; Reclassification Lupi Office Park – A proposed amendment to proffered conditions to extend the time for the removal of any existing structures on Assessor's Parcel 20-108, 20-108A, 20-108B, 20-108C, 20-108D and 20-108E, zoned B-2, Urban Commercial and R-1, Suburban Residential, consisting of 1.51 acres, located on the south side of Garrisonville Road, approximately 100 feet east of Dorothy Lane within the Garrisonville Election District.

Mr. Cook stated item 3 had been postponed at the applicants request.

4. RC2501489; Reclassification – Stafford Lakes, Parcel 44-56- A request for a Reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District to allow commercial development on a portion of Assessor's Parcel 44-56, consisting of 0.33 acres, located on the south side of Warrenton Road approximately 200 feet east of Village Parkway within the Hartwood Election District. The Comprehensive Plan recommends the property for Urban Commercial Use. The Urban Commercial designation would allow development of commercial, retail and office uses. See Section 28-35 of the Zoning Ordinance for a full listing of permitted uses. **(Time Limit: October 16, 2006)**
5. CUP2501490; Conditional Use Permit – Stafford Lakes, Part of Parcel 44-56- A request for a Conditional Use Permit to allow one (1) drive-through facility in a HC, Highway Corridor Overlay District on a portion of Assessor's Parcel 44-56, consisting of 0.60 acres, located on the south side of Warrenton Road approximately 200 feet east of Village Parkway in the Hartwood Election District. **(Time Limit: October 16, 2006)**

Mrs. Ennis combined the staff report for the Stafford Lakes Rezoning and Conditional Use Permit application. She stated B-2 zoning permits the development of commercial, retail, and office uses, particularly along major arterial roads. She stated the overall General Development Plan (GDP) shows a proposed bank with a drive-through. She stated the building would be one story, twenty-four feet in height, and 4,518 square feet. She stated the site would not have direct access to Warrenton Road and would not be accessed from parcel 44R-1A. She stated there would be a sidewalk connection to adjacent parking to the east and west. She stated buildings would be equipped with sprinkler systems for fire suppression. She stated exterior building materials would be brick, glass, architecturally textured masonry, pre-cast or job cast concrete, stucco, or compatible material. She stated regional and national retail users would construct buildings consistent with their standard prototypes but which reflect the comments herein. She stated the drive-through locations and loading spaces shall be consistent with the GDP and all

***Planning Commission Minutes  
July 19, 2006***

building entrances would be properly illuminated in accordance with Crime Prevention. She stated staff recommends approval.

Mrs. Kirby asked if the facade materials meet design standards.

Mr. Mitchell stated the bank appeared to be 4,500 square feet.

Steve Klebonoff, applicant, stated the support staff recommended 4,220 square feet.

Mrs. Kirby asked if a brick or glass facade could be proffered.

Mr. Klebonoff stated he would delete compatible material. He stated he would prefer to use architecturally pre-cast on the building.

Mrs. Kirby asked if brick, glass or pre cast could be proffered.

Mr. Klebonoff stated textured masonry was not a negative material.

Mrs. Kirby stated she would like the facade to be high quality material.

Mrs. Carlone stated she would like evergreens placed in the landscaping.

Mr. Klebonoff agreed to put evergreens in the landscaping. He agreed to use brick, glass or pre-cast on the facade.

Mr. Cook opened the Public Hearing.

David Blass stated he was concerned about a possible safety hazard coming off Warrenton Road. He stated the speed limit was 55 miles per hour and traffic would be approaching the entrance at a high speed.

With no one else coming forward, the Public Hearing was closed.

Mr. Klebonoff stated he would comply with the standards set by VDOT.

Mrs. Kirby stated VDOT would make decisions about major thoroughfares.

Mrs. Carlone made a motion to approve the Reclassification. Mrs. Kirby seconded. The motion passed 7-0.

Mrs. Carlone made a motion to approve the Conditional Use Permit. Mrs. Kirby seconded. The motion passed 7-0.

**UNFINISHED BUSINESS:**

6. RC2501259; Reclassification – Widewater Heights - A proposed reclassification from R-4, Manufactured Home Zoning District to B-2, Urban Commercial Zoning District on

***Planning Commission Minutes  
July 19, 2006***

Assessor's Parcel 13-37 consisting of 12.18 acres, located on the south side of Telegraph Road approximately 1,000 feet east of Jefferson Davis Highway within the Griffis-Widewater Election District. The Comprehensive Plan recommends the property for Urban Commercial and Light Industrial uses. The Urban Commercial designation would allow development of commercial retail and office uses and the Light Industrial designation would allow light industrial, light manufacturing and office uses. **(Deferred to July 19, 2006 at applicant's request)**

Mr. Cook stated Item 6 was discussed at the Work Session and was sent to the meeting with a recommendation for approval.

Mrs. Kirby made a motion for approval. Mr. Di Peppe seconded. The motion passed 7-0.

7. SUB2501328; Ellison Estates Section 2, Preliminary Subdivision Plan - A preliminary subdivision plan for 7 single family residential lots, zoned A-2, consisting of 9.97 acres, located at the north end of proposed Ellison Court and approximately 1,100 feet west of Jefferson Davis Highway and 1,300 feet north of American Legion Road on Assessor's Parcel 38-45H, within the Aquia Election District. **(Time Limit: May 24, 2006) (Deferred to September 6, 2006 at applicant's request)**

Mrs. Kirby made a motion to defer Item 7. Mr. Di Peppe seconded. The motion passed 7-0.

**NEW BUSINESS**

8. SUB2600266; Leeland Station, Section 5 and 7 Preliminary Subdivision Plan Revalidation - A revalidation of a preliminary subdivision plan for 203 single family residential lots, zoned PD-1, Planned Development 1, consisting of 119.41 acres, located on the east side of Leeland Road, south of the CSX tracks on Assessor's Parcels 46-92B and 46-93 within the Falmouth Election District. **(Time Limit: September 16, 2006)**

Mrs. Ennis presented the staff report. She stated all lots would be served by county water and sewer and access would be granted from Leeland Road. She stated the Critical Resource Protection Area (CRPA) was not located within this section of the plan and the wetlands would be protected by conservation easements required by the Army Corps of Engineers. She stated Stormwater Management would be controlled by two ponds located in each section and staff recommends approval of the preliminary plan.

Mr. Di Peppe asked if the water and sewer for Section 8 was approved.

Mrs. Ennis stated the water and sewer was approved.

Mr. Di Peppe made a motion for approval. Mrs. Kirby seconded. The motion passed 7-0.

9. SUB2600484; Deer Crossing Private Access Easement - A private access easement to serve 2 lots on 19.06 acres located on the south side of Courthouse Road approximately 400 feet east of Black Hawk Drive on Assessor's Parcel 39-79 zoned A-1, Agricultural, within the Aquia Election District. **(Time Limit: September 16, 2006)**

***Planning Commission Minutes  
July 19, 2006***

Mrs. Ennis presented the staff report. She stated the length of the Private Access Easement (PAE) was two hundred seventy-eight feet and the width was twenty-five feet. She stated staff recommends approval.

Mrs. Kirby asked if the PAE would interfere with Dishpan Lane.

Mrs. Ennis stated Dishpan Lane would not be disturbed.

Mr. Mitchell stated VDOT standards would not apply.

Mr. Mitchell made a motion for approval. Mrs. Carlone seconded. The motion passed 7-0.

10. SUB231376; Deacon Commons Preliminary Subdivision Plan – A preliminary cluster subdivision plan for 12 single family residential lots, zoned R-1, Suburban Residential, consisting of 6.08 acres, located on the south end of Summerfield Lane approximately 1,500 feet south of Deacon Road on Assessor's Parcel 54-139A within the Falmouth Election District. **(Time Limit: September 16, 2006)**

Mrs. Ennis stated all lots would be served by county water and sewer. She stated access would be granted across from the end of Summerfield Lane from Stratford Place Subdivision. She stated the CRPA was not located within the site. She stated Stormwater Management would be controlled through Low Impact Development (LID) bio-retention filters. She stated staff recommends approval.

Mrs. Kirby asked what was located between lots two and three.

Mr. Caldwell, Engineer for the project, stated bio-retention areas.

Mrs. Kirby stated she would like a gazebo placed next to the tot lot.

Mr. Di Peppe made a motion for approval. Mr. Mitchell seconded. The motion passed 7-0

11. SUB2501472; Seasons Landing, Section 4 Preliminary Subdivision Plan – A preliminary cluster subdivision plan for 28 single family residential lots, zoned R-1, Suburban Residential, consisting of 14.03 acres, located on the north side of Hope Road approximately 1,100 feet west of Old Concord Road on Assessor's Parcel 30-114C within the Aquia Election District. **(Time Limit: September 16, 2006)**

Mrs. Ennis stated all lots would be served by county water and sewer. She stated access would continue from Section I of Season's Landing and a second entrance would come through the abutting Stone River Subdivision through Horizon Lane. She stated wetlands would be located within open space and staff recommends approval.

Mrs. Kirby stated a gazebo and a tot lot should be placed on the open space at the cul-de-sac. She stated there were two acres of open space.

***Planning Commission Minutes  
July 19, 2006***

Mr. Cook stated there were eight or nine acres of open space. He asked counsel if the plan could be approved, subject to putting in a tot lot and a gazebo.

Mr. Judy stated the Planning Commission could recommend to the Board that the applicant have a tot lot and gazebo.

Mr. Mitchell made a motion to retain Item 11 in committee during the regular meeting on August 2, 2006. Mr. Di Peppe seconded. The motion passed 7-0.

12. RC2501130; Reclassification – Forbes Landing - A proposed reclassification from A-1, Agricultural Zoning District to R-1, Suburban Residential Zoning District on Assessor's Parcels 46-21, 46-26 and 46-27 consisting of 47.99 acres, located on the east side of Forbes Street approximately 200 feet north of Layhill Road within the Falmouth Election District. The Comprehensive Plan recommends the property for Suburban Residential use. The Suburban Residential designation would allow residential development at a maximum density of three dwelling units per acre.

Mr. Harvey stated Item 12 was previously before by the Planning Commission and the Board sent it back to the Planning Commission due to changes by the applicant.

Clark Leming, representing the applicant, stated Forbes Landing was before the Commission in September 2005. He stated there was a vote for denial, and we asked the Commission to reconsider at the continued meeting. He stated the applicant would make improvement to Forbes Street, over and above cash proffers and there are no right of way contingencies. He stated there was a Civil War encampment on the site and a Civil War Historian was present to discuss the history and the best way to preserve the site. He stated they would like to show the Commission specific improvements they are planning for Forbes Street. .

Glen Trimmer stated he did not know of a full regimental camp that has been preserved in it's entirety in Stafford County. He stated this was the last of the 5<sup>th</sup> Corps, 3<sup>rd</sup> Division Camps. He stated the developer suggested putting up a monument to the 5<sup>th</sup> Corps. He stated there are nine rows of dug-in winter hut sites and four or five above ground sites with significant ditching.

D. P. Newton stated the site was a November camp and they would have moved in February. He stated this was where the 5<sup>th</sup> Corps mustered prior to Sharpsburg.

Mr. Leming stated from a zoning stand point the property owner had a question of ownership. He stated there was an issue of access to the property. He asked where the access point should be located. He stated it would be helpful to have feed back from the Planning Commission and Historical Commission. He stated the applicant would appreciate some guidance.

Ray Freeland, applicant, stated there were five areas to discuss. He stated the first area was the intersection of Forbes Street and Morton Road. He stated when traffic on Morton Road turns left onto Forbes Street, a turn lane, new pavement; relocated guide rail, relocated signs, and an extended culvert would be placed on Forbes Street by the Chichester property and a turn lane coming into Forbes Street with a raised median. He stated the second issue was the entrance into the project. He stated a right turn lane would come west on Forbes Street. He stated a left turn lane was not

***Planning Commission Minutes  
July 19, 2006***

required because issue three was the intersection of Forbes Street and Layhill Road which would not require additional Right-of Way (ROW). He stated he proposes to widen the taper coming west on Forbes Street and add additional shoulders, as well as placing a right turn lane taper on Forbes Street to make the right turn. He stated the fourth issue was the second entrance across from Heritage Commerce Center, with no additional ROW, or improvements required. He stated the fifth issue was at the intersection of Manning Drive and Forbes Street. He stated they were trying to work with Falmouth Elementary to get some ROW on the other side of the road to do improvements, since Forbes Street was very narrow. He stated they would try to work on entrance of Falmouth Elementary and put a left turn lane on Forbes Street so you can come down Forbes Street and make a left on Manning Road, increase the ROW; widen the shoulders, and put in some sidewalks near Jefferson Place. He stated there would be some landscaping requirements at the Handy-Mart. He stated the cost estimates would be an additional 1 million dollars in road fixtures, not including the original cash proffers.

Mrs. Carlone asked if VDOT had approved everything.

Mr. Freeland stated he met with Clyde Hamrick at VDOT and was told the improvements were necessary and needed.

Mr. Di Peppe stated he met with the developer and would like to thank the developer for working with local historians to preserve the Cultural Resources on the site.

Mr. Leming stated the applicant would like to go to Public Hearing in September.

Mrs. Kirby stated that Anita Dodd would like to speak concerning a letter.

Mrs. Dodd stated the Civil War site was eligible for the National Register. She stated the Historical Commission recommends the National Park Service, Stafford County Historic Preservation Planner, and the Historical Commission, be involved in making decisions on the how site would be preserved. She stated the Civil War was important but so were other sites on the property. She stated there were two cemeteries on the site and two standing structures which the Historical Commission asked for historic structure reports on. She stated the Historical Commission asked for cemetery surveys. She stated Stafford County was losing Native American, 18<sup>th</sup> Century, and early 20<sup>th</sup> Century history.

Mrs. Kirby asked Mrs. Dodd to explain how a Phase I Survey differs from a Phase II or Phase III Survey.

Mrs. Dodd stated a Phase I identifies the site, a Phase II determines the eligibility of the site, and a Phase III would only be completed if the site was going to be destroyed. She stated the standards require the archeological work be conducted by someone with a Master's Degree, one year field experience, one year supervising a site, and one year experience on a prehistoric site.

Mr. Di Peppe stated the Phase I Survey said there were eleven sites, which means they missed three quarters of what was actually on the property.

Mrs. Dodd stated the consultant followed the regulations set by the Secretary of the Interior.

***Planning Commission Minutes  
July 19, 2006***

Mrs. Kirby stated the Historic Planner, Historical Commission, Virginia Historic Resources, and the National Park Service should decide how to preserve the site.

Craig Johnson, applicant, stated they would complete a Phase II Survey. He stated they would use a different service. He stated federal and state officials could view the site and Mrs. Dodd was welcome to evaluate the site as well.

Mr. Freeland stated when the Phase I was conducted the structure was not deemed historically significant.

Mrs. Kirby stated the building itself had historic significance because it was over 50 years old or due to the style of the structure.

Mr. Leming stated they would like to move to Public Hearing in September with the revised proffers.

Mr. Di Peppe made a motion to schedule Item 12 for Public Hearing. Mrs. Kirby seconded. The motion passed 7-0.

**MINUTES**

None

**PLANNING DIRECTOR'S REPORT**

Mr. Harvey stated the Board approved a telecommunication tower at Den Rich Road and the Conditional Use Permit for the 7-11 at Coachmen's Circle was approved as well as the street name amendment. He stated Mid- Atlantic, DVD's on the Run, Central Stafford Commerce Center, and Brentsmill were deferred. He stated the Board approved the low pressure sewer to be sent back to the Planning Commission.

**COUNTY ATTORNEY'S REPORT**

No Report

**SECRETARY/TREASURER REPORT**

No Report

**STANDING COMMITTEE REPORTS**

Mr. Pitzel stated there would be a Comprehensive Plan meeting every Monday at 6:30 p.m. except for Labor Day. He stated a public input meeting would be held on October 2, 2006.

**CONSENT AGENDA**

None

***Planning Commission Minutes  
July 19, 2006***

**SPECIAL COMMITTEE REPORTS**

Mr. Di Peppe stated he would like to have a Public Hearing for medical and dental offices.

Mrs. Kirby made a motion for approval. Mrs. Carlone seconded. The motion passes 7-0.

Mr. Di Peppe stated Adult Business Committee would meet during the August 2, 2006 Work Session.

Mrs. Kirby stated she would like to be kept informed of the status of the Phase I Survey Committee.

**CHAIRMAN'S REPORT**

No Report

**ADJOURNMENT**

With no further business to discuss the meeting was adjourned at 10:07 p.m.

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William Cook  
Chairman